

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of THOMAS H. SWISHER and DEPARTMENT OF THE NAVY,
MARINE CORPS LOGISTICS BASE, Barstow, Calif.

*Docket No. 97-157; Submitted on the Record;
Issued October 2, 1998*

DECISION and ORDER

Before MICHAEL J. WALSH, WILLIE T.C. THOMAS,
MICHAEL E. GROOM

The issue is whether appellant established that he sustained a recurrence of disability causally related to his August 12, 1992 employment injury.

The Board has given careful consideration to the issue involved, the contentions of appellant on appeal, and the entire case record. The Board finds that the decision of the hearing representative of the Office of Workers' Compensation Programs dated August 21, 1996 is in accordance with the facts and the law in this case and hereby adopts the findings and conclusions of the Office hearing representative.¹

The decision of the Office of Workers' Compensation Programs dated August 21, 1996 is hereby affirmed.

Dated, Washington, D.C.
October 2, 1998

Michael J. Walsh
Chairman

Willie T.C. Thomas
Alternate Member

Michael E. Groom
Alternate Member

¹ The Board notes that the record contains a recurrence claim filed on November 6, 1995 regarding a tooth injury. The Board cannot consider this, however, as the Office has not rendered a final decision on the merits of this claim; *see* 20 C.F.R. § 501.2(c).